



Board of Selectmen Meeting

Monday, October 7, 2019 7:00 PM
36 Bartlet Street, Andover, MA 01810
Selectmen's Conference Room

RECEIVED
TOWN CLERK'S OFFICE

2019 OCT -3 P 3:12

TOWN OF ANDOVER, MASS

I. Call to Order – 7:00 P.M.

II. Executive Session

- A. Board to vote to go into Executive Session pursuant to Purpose 3 of Massachusetts General Laws, Chapter 30, Section 21(a), for the purposes of discussing confidential legal advice with Town Counsel and potential litigation strategy, and for the Chair to declare that a public session would have a detrimental effect on the town's potential litigation position, and to return to public session.
- B. Board to consider voting to approve the following Executive Session minutes
 - 1. April 11, 2019

III. Opening Ceremonies – 7:15 P.M.

- A. Moment of Silence/Pledge of Allegiance

IV. Communications/Announcements/Liaison Reports

V. Citizens Petitions and Presentations

VI. Regular Business of the Board

- A. Halloween Trick-or-Treating – (5 minutes)
Board to consider voting to set the date of Trick-or-Treating to October 31, 2019 from 4:00 p.m. to 6:00 p.m.
- B. Citizens Petitions and Presentations Policy – (10 minutes)
Board to consider and vote on the revised Selectmen Policy Guidelines Section 1.6 relating to citizens petitions and presentations.
- C. Town Election and Annual Town Meeting Calendar - (10 minutes)
Board to discuss voting to approve and adopt the Town Election and Annual Town Meeting Calendar.
- D. Zoning Board of Appeals Appointments – (10 minutes)
Zoning Board of Appeals Subcommittee to recommend the appointments of three members to the Zoning Board of Appeals. Board to consider voting to approve the Subcommittee's recommended appointments.

VII. Consent Agenda

A. Appointments by the Town Manager

Board to vote that the following appointments by the Town Manager be approved:

Department	Name	Position	Rate/Term	Date of Hire
Andover Green Advisory Board	Maria Bartlett	Member	Three years	10/8/19
Andover Green Advisory Board	Jonathan Unger	Member	Three years	10/8/19
Preservation Commission	Joann Michalik	Member	Three years	10/8/19
Facilities	Wilfredo Abreu (<i>Joseph Thompson</i>)	Junior Custodian	\$23.37/hour	10/21/19
Community Services - Elder Services	Kusum Basra	Office Assistant	\$22.11/hour	10/15/19
Community Development and Planning	Dena O'Neil	Substitute Administrative Secretary	\$19.30/hour	10/9/19
Community Development and Planning	Gerri Bellavia	Substitute Administrative Secretary	\$19.30/hour	10/9/19
Community Services – Recreation	Rebecca Griffin	Kid Care	\$25.00/hour	9/30/19
Community Services – Recreation	Nathalie Zannini	Kid Care	\$25.00/hour	9/30/19
Community Services – Recreation	Wendy Venti	Kid Care	\$20.00/hour	9/30/19
Community Services – Recreation	Songy Choi	Kid Care	\$12.00/hour	9/30/19
Community Services – Recreation	Zephyr Flanigan	Kid Care	\$12.00/hour	9/30/19
Community Services – Recreation	Autumn King	Kid Care	\$12.00/hour	9/30/19

VIII. Approval of Minutes

A. Board to approve minutes from the following meeting:

1. April 8, 2019

VIII. Executive Session

- ### **A. Board to vote to go into Executive Session pursuant to Purpose 2 of Massachusetts General Laws, Chapter 30, Section 21(a), to conduct strategy sessions in preparation for negotiations with nonunion personnel, i.e., the Town Manager., and to return to open session.**

X. Open Session

- A. Deliberation on and appointment of a two-member sub-committee of the Board of Selectmen; to prepare for and to conduct negotiations with nonunion personnel, i.e., the Town Manager.

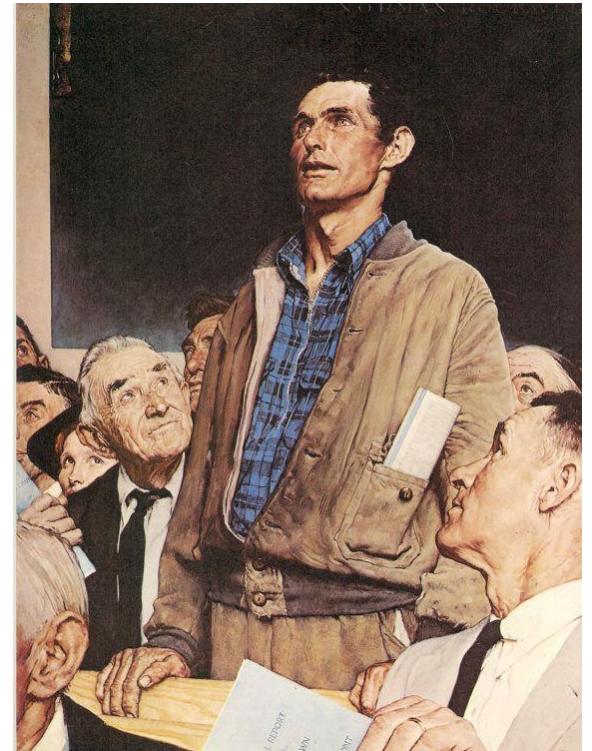
XI. Adjourn

If any member of the public wishing to attend this meeting seeks special accommodations in accordance with the Americans with Disabilities Act, please contact Kathryn Forina in the Town Manager's Office at 978-623-8215 or by email at kathryn.forina@andoverma.us

MEETINGS ARE TELEVISED ON
COMCAST CHANNEL 22 AND VERIZON CHANNEL 45

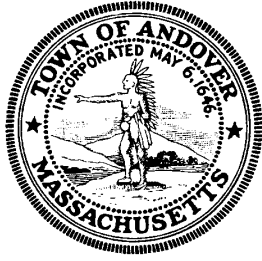
Current Board Policy

“During all regular meetings, time will be set aside for citizens’ petitions and presentation. Citizens may bring up any matter or question of interest without prior notice given to the Board.” Policy Guidelines of the Board of Selectmen, Section 1.6.



Public Comments at Board of Selectmen Meetings

- All regular and special meetings of the Board of Selectmen shall be open to the public. Executive sessions will be held only as prescribed by the statutes of the Commonwealth of Massachusetts.
- The Board desires citizens of the Town to attend its meetings so that they may become better acquainted with the operations and programs of the Town. In addition, the Board would like the opportunity to hear the wishes and ideas of the public.
- In order that all citizens who wish to be heard before the Board have a chance and to ensure the ability of the Board to conduct the Town's business in an orderly manner, the following rules and procedures are adopted:
 - 1. At the start of each regularly scheduled Board meeting except workshops, individuals or group representatives will be invited to address the Board. The Chairperson shall determine the length of the public participation segment.
 - 2. If time permits, speakers will be allowed three (3) minutes to present their material. The presiding Chairperson may shorten their time limit or may permit extension of this time limit. If a speaker's time is shortened or extended, the same reduction or extension will apply to all speakers who wish to be heard on the same subject without regard to viewpoint.
 - 3. Improper conduct will not be allowed. Remarks containing obscenities, remarks which constitute threats or fighting words, remarks which are likely to provoke a violent reaction, and remarks which are known to be false are considered improper and will not be allowed. If a speaker persists in improper conduct or remarks, the Chairperson may terminate that individual's privilege of address.
 - 4. All remarks will be addressed through the Chairperson of the meeting.
 - 5. Speakers may offer such criticisms of Town operations and programs as concern them, but in the public comment session the Board will not hear personal complaints regarding Town personnel, except with respect to the Board of Selectmen, Town Manager, Town Accountant, the Zoning Board of Appeals, Officers and Registrars of Voters and Department Heads. Under most circumstances, administrative channels are the proper means for disposition of legitimate complaints involving Town employees.
 - 6. Written comments may be presented to the Board at the meeting for the Board members' review and consideration at an appropriate time.



TOWN OF ANDOVER

Town Clerk's Office

36 Bartlet Street
Andover, MA 01810
978-623-8230
townclerk@andoverma.gov

ANNUAL TOWN MEETING AND TOWN ELECTION CALENDAR

2020

TOWN ELECTION:	Tuesday, March 24, 2020 7:00AM - 8:00PM Precinct Polling places: Precincts 1 & 3 – Center at Punchard Precincts 4, 5, & 6 – Wood Hill Middle School Precincts 2, 7, 7A, 8, & 9 – Andover High School
ANNUAL TOWN MEETING:	April 27 & 28, May 4 & 5, 2020 7:00PM J. Everett Collins Center Auditorium Andover High School, Shawsheen Road
TOWN WARRANT:	Opens: Monday, October 28, 2019 Closes: Friday, January 24, 2020 (4:30PM)
BUDGET DUE TO TOWN:	Friday, February 7, 2020 (First Friday of February)
ANNUAL TOWN REPORT:	Tuesday, March 17, 2020 (7 days before town election)
FINANCE COMMITTEE REPORT	Friday, April 17, 2020 (10 days before business meeting)

PLEASE NOTE: Mail-in voter registration forms are available at the Registry of Motor Vehicles, Memorial Hall Library, all four Post Offices, the Secretary of the Commonwealth's web site, and the Town Offices on Bartlet Street. If you are not a registered voter, to be eligible to vote at an Election or Town Meeting, your mail-in form must be received or postmarked by the last day to register per State law. On-line voter registration is now available on the Secretary of the Commonwealth's web site.

ANDOVER TOWN ELECTION DEADLINES

1. Last day to submit nomination papers to the Board of Registrars for Town Election
Tuesday, February 4, 2020 5:00PM (49 days)
2. Last day to Withdraw from Town Election (notarized statement in writing)
Thursday, February 20, 2020 5:00PM (33days)
3. Last Day to Register to vote for the Town Election for non-registered voters:
Wednesday, March 4, 2020 (20 days)
Town Clerk's Office: Open for voter registration from 8:30AM to 8:00PM
4. Warrant Posted & Published: **No later than Tuesday, March 10, 2020 (14 days)**

ANNUAL TOWN MEETING DEADLINES

1. Last Day to Register to vote for the Annual Town Meeting for non-registered voters:

Tuesday, April 7, 2020 (20 days)

Town Clerk's Office: Open for voter registration from 8:30AM to 8:00PM

2. Warrant Posted & Published: **No later than Monday, April 13, 2020** (14 days)

TOWN ELECTION CAMPAIGN FINANCE REPORTING FOR 2016

REPORT DUE:

REPORTING PERIOD DATES:

**2019 End-of-Year
Due Jan. 20, 2020**

Reporting Period Ending: December 31, 2019

from date of last report filed in 2019:

- **April 16, 2019 – Dec. 31, 2019** (2019 candidates not dissolved)
- **January 1, 2019 - Dec. 31, 2019** (all others)

**8 Day Pre-Election
Due March 16, 2020**

Reporting period: January 1, 2020 - March 6, 2020

(accounting closes 10 days before due date)

**30 Day Post-Election
Due April 23, 2020**

Reporting period: March 7, 2020 – April 13, 2020

(accounting closes 10 days before due date)

**2020 End-of-Year
Due Jan. 20, 2021**

Reporting Period Ending - December 31, 2020

from date of last report filed in 2020:

- **April 14, 2020 through Dec. 31, 2020** (all 2020 candidates not dissolved)
- **January 1, 2020 through December 31, 2020** (all others)

Dissolution Report

Due when balance is zero with written notice

2020 STATE ELECTIONS

There are three state-wide elections scheduled in 2020: the Presidential Primary on Tuesday, March 3rd, the State Primary on Tuesday, September 15th, and the General (Presidential) Election on Tuesday November 3rd.

**Board of Selectmen
Minutes of April 8, 2019**

I. Call to Order

Chairman Vispoli called the meeting to order at 7:00 P.M.

Members in attendance: Chris Huntress, Alex Vispoli Annie Gilbert, Laura Gregory, and Dan Koh.

Others in attendance: Town Manager Andrew Flanagan, Deputy Town Manager Michael Lindstrom, Town Clerk Austin Simko, and Town Council Tom Urbelis.

II. Opening Ceremonies

A. Moment of Silence/Pledge of Allegiance

The meeting began with a Moment of Silence and a Pledge of Allegiance.

III. Communications/Announcements/Liaison Reports

The Town Manager reported that a Triboard Meeting of the Planning Board, Finance Committee, and Board of Selectmen will be held on Tuesday, April 9th at 6:15 P.M. to review the TIF Agreement with VICOR Corporation. A Public Input meeting will be held Memorial Hall Library at 7:00 P.M. to discuss the renovations to the Senior Center.

Mike Lundstrum said the 20/20 Vision for Andover has been very successful. Departments provided information for the budget process and an inside preview of Town Meeting Articles and Department Budgets.

Tuesday, April 9th is the day to register to vote in the Annual Town Meeting. Austin Simko said the Town Clerk's Office will be open until 8:00 PM to accommodate residents.

Dan Koh, the Board's newest Selectman, is honored to be here.

Laura Gregory said AVIS is holding their Annual Dinner on Wednesday, April 10th to celebrate their 125 anniversary.

Chris Huntress provided a recap of last week's vision session for Andover space perspective for parking downtown, and open space. The meeting was well attended.

Annie Gilbert said a Showcase of the Town House (Old Town Hall) will be held on April 18th to provide information on use of the Town House for public events and vendors will be on hand to provide material on services they can provide.

Alex Vispoli said the reconstruction of the playground on Cuba Street is on the CIP for approval and Janet Nicosia and her team have done a great job communicating with the neighbors. At a recent meeting of the Economic Development Council they discussed developing an assessment form for new business's coming into Town and starting a major outreach to businesses located in the River Road area.

Chairman Vispoli accepted the Red Cross Award for the Town from Governor Baker on behalf of the Red Cross for the Town's efforts during the gas crisis. Chief Keefe and

Chief Mansfield also accepted an award given to the Public Safety Department in recognition of their Department's response to the gas crisis.

IV. Citizens Petitions and Presentations

Andover resident, Donald Coleman approached the Board to request that the Ballardvale Public Safety Center be named for the late Bill Down's who was a former Fire Chief in Andover and who served on several Town Boards. Donald is also requesting that Town Meetings be held on Saturday mornings and he shared his concerns with the SCRIPT Program and potholes.

Anne Marie Concemi, Lowell Street, is requesting a public hearing with National Grid for removal of a pole that is dangerously located near her driveway making it difficult and hazardous to enter and exit her property. The Town Manager will follow-up on this request and report back to the Board.

V. Public Hearing

A. Outdoor Dining License for Rave Hospitality Group LLC

The Board discussed the application from Rave Hospitality Group LLC d/b/a Elm Square Oyster Co. at 2 Elm Square in Andover for an outdoor dining license for 32 seats and 16 tables along Main Street.

Laura Gregory moved to approve the application of Rave Hospitality Group LLC d/b/a Elm Square Oyster Co. at 2 Elm Square in Andover for an outdoor dining license for 32 seats and 16 tables along Main Street as shown as Outdoor Seating Area A in Plan A-2 dated March 13, 2013 subject to the following conditions: 1) that all other requirements of the Town are met prior to issuance and 2) outdoor seating Area B along Post Office Avenue comply with Zoning Board of Appeals Special Permit decision number 3940. The motion was seconded by Chris Huntress and voted 5-0 to approve.

B. Outdoor Dining License for Ultimate Perk, Inc.

Chris Huntress moved that the Board approve an application from Ultimate Perk, Inc. d/b/a Ultimate Perk at 96 ½ Main Street for an outdoor dining license for 8 seats and 4 tables and that 1) all other requirements of the Town are met prior to issuance and 2) a maximum of 10 seats combined indoor and outdoor seating. The motion was seconded by Laura Gregory and voted 5-0 to approve.

VI. Regular Business of the Board

A. Re-Organization of the Board

Board to consider voting to reorganize and elect a Chair, Vice Chair and Secretary for the 2019-2020 year to be effective following the 2019 Annual Town Meeting.

Nomination for Chair:

Chris Huntress moved to nominate Laura Gregory as the next Chair of the Select Board. Annie Gilbert seconded the motion. The Board voted 5-0 to approve Laura Gregory as the next Chair of the Select Board. Laura accepted.

Nomination for Vice Chair:

Laura Gregory moved to nominate Annie Gilbert for Vice Chair of the Select Board. The motion was seconded by Chris Huntress and 5-0 to approve Annie Gilbert as Vice Chair. Annie accepted.

Nomination for Clerk:

Laura Gregory moved to nominate Dan Koh for Clerk of the Select Board. Chris Huntress seconded the motion. The Board voted 5-0 to approve Dan Koh as Clerk for the Select Board. Dan accepted.

B. Columbia Gas – Phase 2

Columbia Gas representatives provided an overview of Phase 2 of the restoration efforts. The presentation included information on their Equipment Repair Plan for installed appliances and the Equipment Replacement Program. In addition, the overview provided information on the process for communicating with residents to schedule site evaluations, replacement of equipment/appliances, inspections, and follow-up appointments.

C. Water Distribution, Treatment and Rate Study

The Town Manager, in response to the matter of discolored water experienced by residents over the summer, requested a study of the water distribution/plant. The study was conducted by Woodward and Curran.

Rob Little, Project Manager from Woodward and Curran provided a review of their findings and concluded that Manganese made it through the plant and into the distribution system causing large number of discolored water cells. The ozone dose was increased to oxidize the high levels of Manganese reducing the colored water. Part of the study included sampling locations throughout the Water Treatment Plant and the processes used at the Plant to remove Manganese were explained. It is recommended to increase the pace of replacing existing cast iron mains. The findings of the Distribution System were also included.

Andrew reported on recommendations and funding options to fully-fund the replacement of 11.9 miles of pipeline under the impacted roads and to accelerate the Water Main Replacement Program aligning it with paving restoration from the gas disaster, and to take advantage of state financing programs available along with annual water rate increases. The Board will vote on a recommendation by the Town Manager at their next meeting.

D. Sewer Use Agreement, 160 Dascomb Road

Annie Gilbert moved to authorize the Chairman and Town Manager to sign the Intermunicipal Sewer Use Agreement between Dascomb Road Limited Partnership and the Town of Tewksbury for the property at 160 Dascomb Road. The motion was seconded by Chris Huntress and voted 5-0 to approve.

E. Special Town Meeting

Chris Huntress moved that the Board consider to call a Special Town Meeting within the upcoming Annual Town Meeting and open the warrant for that Special Town Meeting, inserting the two warrant articles. Article 1; TIF Agreement with VICOR and Article 2: AED installations at Town Fields, and closing and signing that warrant for the Special Town Meeting. The motion was seconded by Annie Gilbert. Motion approved 5-0.

VII. Consent Agenda

A. Appointments by the Town Manager

Annie Gilbert moved for the Board approve the Consent Agenda as printed. Chris Huntress seconded the motion. Motion approved 5-0.

Department	Name	Position	Rate/Term	Date of Hire
Community Services – Recreation	Colleen Shay	Seasonal	\$12.00/hour	4/8/2019
Community Services – Recreation	Megan Gallagher	Seasonal	\$12.00/hour	5/20/2019
Community Services	Mary Lane (Janice Wall)	Marketing Coordinator	\$65,845.68	4/29/2019

VIII. 2019 Board of Selectmen Meetings

A. Chris Huntress moved that the Board of Selectmen accept the upcoming meeting schedule as printed. The motion was seconded by Dan Koh.

Meeting Dates: May 13, June 3, June 17, July 15, August 12, September 9, September 23, October 7, October 21, November 4, November 8, December 2, and December 16, 2019.

IX. Executive Session

Chris Huntress moved for the Board to go into Executive Session for Purpose 3, to discuss strategy with respect to litigation, *Cuticchia, et al. v. Town of Andover*, and that the Chair declare that an open meeting may have a detrimental effect on the litigating position of the Town not to return to open session. The Chair so declared. The motion was seconded by Annie Gilbert. Roll call: A. Gilbert-Y, D. Koh-Y, C. Huntress-Y, A. Vispoli-Y, L. Gregory-Y.

X. Adjourn

The Board adjourned from the Regular Session of April 8, 2019 at 9:55 P.M. to move to Executive Session, not to return to Open Session.

Respectfully submitted,

Dee DeLorenzo
Recorder

Documents: Water Main Replacement Program & Water Rate Recommendations
Department of Public Works Water Quality Evaluation Report